

**LOG OF TELEPHONE CONVERSATION**  
**OFFICE OF COMPLIANCE**

NOV 05 1997

**SUBJECT:** Flammable Fabrics Act Task Force

**DATE OF CALL:** September 25, 1997 **TIME:** 10:00 AM EDT

**COMMISSION PARTICIPANTS:**

Patricia Fairall, CRM  
Marilyn Borsari, CRM  
Walt Sanders, COAB

**NON-COMMISSION PARTICIPANTS:**

Myron Meche-Co-Chair-Nat. Ret. Fed  
Michael Lemov, Nat. Ret. Fed.  
Moe Cain Co-Chair IMRA  
Kay Villa ATMI  
Ron Pacheco, ITS  
Paul Sahutske, Dayton Hudson  
Duncan Nixon, AAEI  
Julie Hughes, USA-ITA

**SUMMARY OF TELEPHONE CONVERSATION:**

The Flammable Fabrics Act Task Force is developing a program which would help assure that garments sold in the U.S. are in compliance with the Standard for the Flammability of Clothing Textiles 16 CFR 1610.

The call began with a discussion of the September 11 Minutes. Kay Villa suggested changes to the ASTM training paragraph. These changes were accepted. Pat Fairall said the letter to ASTM was mailed this week.

Mike Lemov stated he was concerned that even though this pledge program is to be voluntary, it will become the norm and may be used in product liability suits. Duncan Nixon was concerned that this voluntary program will be a requirement by most firms and then become "mandatory".

Ron Pacheco stated that some of the testing (especially that done in the Far East) is done on pre-production or loosely defined items and that test records need to be "linked" to the actual products. CPSC also stated that they have seen test results that do not appear to relate (by number, style, etc) to the items at issue.

The group then discussed the draft guidelines for Reasonable and Representative Testing. Kay Villa asked the members of the task group "How often and when do you test?". One member mentioned that they test in the fabric state and then in the

garment state. Another member mentioned that it depends on the item. Another member stated that they rely solely on the manufacturer. Another stated that testing is based on the reasonable and representative testing that was previously published in 16 C.F.R. 1610. Some members test every color, others try to get different colors on subsequent tests.

We discussed having a meeting at the CPSC Laboratory to demonstrate the testing procedures for 16 C.F.R. 1610 using a variety of fabrics. This meeting will be held October 28, 1997 at 11:00 am at the CPSC Laboratory in Gaithersburg, MD.

The task group also discussed documents that we should be working on (1) What is Reasonable and Representative Testing and How to Interpret Test Results, (2) Voluntary Program Requirements and Legal Contracts, and (3) Training.

Ron Pacheco will draft the "What is Reasonable and Representative Testing and How to Interpret Test Results" document. Mike Lemov will draft the "Voluntary Program Requirements and Legal Contracts" document, and Kay Villa will draft the "Training" document and work with ASTM on a training course.

The next scheduled conference call with the main task group is: Friday, October 17th at 10:00am EDT.

**Distribution:**

Office of the Secretary  
CPSC Participants

COPY

September 22, 1997

Mr. Drew Azzara  
ASTM  
100 Barr Harbor Drive  
W. Conshohocken, PA 19428-2959

Re: Training Program

Dear Mr. Azzara:

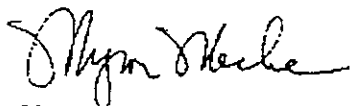
Consumer Product Safety Commission (CPSC) staff, manufacturers, importers and retailers of general wearing apparel, and testing organizations are working together on a program to better assure that certain types of general wearing apparel comply with the CPSC's mandatory flammability standard, Standard for the Flammability of Clothing Textiles, 16 C.F.R. Part 1610.

One aspect of our work involves developing a training program to educate vendors, buyers and testing laboratories about fabric and garment flammability. We envision the training program will educate the parties to better assure that garments they manufacture, purchase, and test comply with CPSC's mandatory flammability standard.

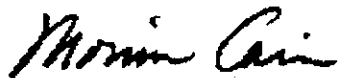
To assist CPSC and the industry in this activity, we request that ASTM establish a committee to develop a program to train buyers and vendors of general wearing apparel as well as testing laboratories.

Enclosed is a list of some of the parties that have endorsed working through ASTM to develop a training program. If you have any questions, please call Patricia Fairall at 301-504-0400 X1369, Myron Meche, National Retail Federation, at 202-783-7971, or Moe Cain, International Mass Retail Association, at 703-841-2300 x112.

Sincerely,



Myron Meche  
National Retail Federation



Morrison Cain  
International Mass Retail Assn.

Enclosure

This letter is also endorsed by all members of the  
Main Group of the Flammable Fabrics Act Task Force

U.S. Consumer Prod. Safety Comm.  
National Retail Federation

Int'l Mass Retail Assn.  
American Textile Mfgs. Inst.  
Intertek Testing Services  
Dayton Hudson Corporation  
Ross Stores, Inc.  
Amer. Assoc. of Exp. & Imp.  
US Assn. of Imp. of Text. & App.

Patricia Fairall  
Myron Meche - Co-Chair  
Michael Lemov (Winston & Strawn)  
Moe Cain - Co Chair  
Kay Villa  
Ron Pacheco  
Paul Sahutske  
Catherine Brady  
Duncan Nixon  
Julia Hughes